

NOTICE OF
PROPOSED NEW RULE

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name: Phone: Fax: E-mail:

Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 33822 Date filed: 07/14/2010 12:59 PM
State Admin Rule Filing Key: 149940
Utah Admin. Code ref. (R no.): R 590 - 258 -

Title

2. Title of rule or section (catchline):
Email Address Requirement

Notice Type

3. Type of notice: New Rule

Rule Purpose

4. Purpose of the rule or reason for the change:
The purpose of this rule is to require licensees and registered persons to provide the department with their current business email address to reduce mailing expense, promote paperless interaction, support the Utah Health Exchange and improve accuracy, reliability and promptness of communication.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

6. Summary of the rule or change:
This rule requires licensees to submit and maintain a valid business email address. They will be used by the

department to communicate general information, license renewal notices, billing invoices, consumer complaints, requests for information or other correspondence. Violators of this rule may be penalized according to 31A-2-308. The rule will be enforced 45 days after its effective date.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

To submit or update an email address individuals or organizations go on-line to SIRCON or NIPR and insurers will go on-line through another source. These changes will automatically update the department's database without the involvement of department personnel. This is going to be a cost and time savings communication tool between the department and their licensees.

B) Local government:

Affected: No

This rule will have no effect local governments since it deals solely with the relationship between the department and its licensees and registered persons.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This rule will cut mailing costs and processing time for the department and their licensees and registered persons when dealing with licensing, complaints, requests for information, invoices and other general correspondence, which will be done electronically rather than by mail.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

This rule will cut mailing costs and processing time for the department and their licensees and registered persons when dealing with licensing, complaints, requests for information, billings and other general correspondence, which will be done electronically rather than by mail.

Compliance Cost Information

8. Compliance costs for affected persons:

There will be no compliance costs for licensees. Instead of corresponding by mail to the department they will be corresponding in most cases by email.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

Currently the department has around 85,000 licensees. To move from communicating with them via the mail versus email for licensing, complaints, invoices and other correspondence will be a significant cost and time savings tool for the department and the licensees.

B) Name and title of department head commenting on the fiscal impacts:

Neal T. Gooch, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-2-201

46-4-501

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

<div>Official Title of Materials Incorporated (from title page): Publisher: Date Issued: Issue, or version: ISBN Number: ISSN Number: Cost of Incorporated Reference: Adds, updates, removes:</div>

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)
- A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 08/31/2010
- B) A public hearing (optional) will be held:
- On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 09/07/2010
- NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
- insurance

File Information

15. Attach an RTF document containing the text of this rule change (filename):
- There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title: Jilene Whitby Information Specialist Date (mm/dd/yyyy): 07/14/2010